

**COZEN O'CONNOR**

BY: Melanie A. Miller (MM 2992)  
144-B West State Street  
Trenton, New Jersey 08608  
(609) 989-8620 Telephone  
(856) 910-5075 Facsimile

457 Haddonfield Road, Suite 300  
Cherry Hill, NJ 08002  
(856) 910-5000 - Telephone  
(856) 910-5075 – Facsimile  
[mmiller@cozen.com](mailto:mmiller@cozen.com) – E-Mail

Attorneys for Plaintiff  
Celgene Corporation and  
Anthrogenesis Corporation

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**Celgene Corporation and  
Anthrogenesis Corporation t/a LifebankUSA,**

**Plaintiffs,**

**V.**

**Americord Registry LLC and  
Martin Smithmyer, individually,**

## Defendants.

**Civil Action Number:**  
**2:11-CV-02409-FSH-PS**

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 41(A) OF DEFENDANTS AMERICORD REGISTRY LLC  
AND MARTIN SMITHMYER**

Plaintiffs, Celgene Corporation and Anthrogenesis Corporation, filed their Complaint in this litigation on April 27, 2011. Defendants were formally served with the Complaint on May 6, 2011. Defendants have not filed a response to the Complaint.

The parties have resolved their differences relating to this litigation.

THEREFORE, IT IS HEREBY STIPULATED by plaintiff, through its designated counsel, that this matter may be dismissed in its entirety pursuant to Federal Rule of Civil Procedure 41(a).

A Proposed Order is attached for the Court's convenience.

Dated: July 29, 2011

Respectfully submitted,

/s/ Melanie A. Miller

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Attorneys for Plaintiff

Celgene Corporation and

Anthrogenesis Corporation

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing was filed electronically through this Court's ECF System and is available for viewing and downloading from this Court's ECF System. I further certify that an electronic copy of the foregoing was served upon all counsel of record through this Court's ECF System at the e-mail address listed in the Court's database as follows:

**SETH R. GOLDMAN**

[srgoldman@mintz.com](mailto:srgoldman@mintz.com); [docketing@mintz.com](mailto:docketing@mintz.com)

I further certify that a copy of the foregoing was served upon counsel for Defendants via First Class Mail, postage pre-paid at the following address:

Dominic Picca  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
666 Third Avenue  
New York, NY 10017

Dated: July 29, 2011

/s/ Melanie A. Miller  
Melanie A. Miller